

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

DEBORAH EVANYK,)	
)	
Plaintiff,)	
)	
v.)	No.: 1:21-CV-306-TAV-CHS
)	
PRESBYTERY OF EAST)	
TENNESSEE, PRESBYTERIAN)	
CHURCH (U.S.A.), INC.,)	
)	
Defendant.)	

ORDER

This matter is before the Court on a *sua sponte* review of the record. Eastern District of Tennessee Local Rule 16.4(a) provides that, “[w]ith or without the agreement of the parties in any civil action . . . , the Court may refer all or part of the underlying dispute to [m]ediation.” That authority is discretionary, “unless the matter is shown not to be suitable for mediation.” *AquaShield, Inc. v. Sonitec Vortisand, Inc.*, No. 1:13-CV-119, 2014 WL 12704705, at *2 (E.D. Tenn. Mar. 3, 2014). In making this determination, the Court should consider its prior rulings, the best interests of all parties, and the need to promote judicial economy and the efficient resolution of the controversy. *See AMC Demolition Specialists, Inc. v. Bechtel Jacobs Co.*, No. 3:04-CV-466, 2006 WL 2792401, at *24 (E.D. Tenn. Sept. 26, 2006). Ultimately, however, the decision whether to order mediation rests within the Court’s discretion.

Upon a careful review of the record, the Court is of the opinion that the instant case is suitable for mediation. Accordingly, the Court finds that ordering this case to mediation at this time will promote judicial economy and facilitate a possible resolution in this action.

Pursuant to Local Rule 16.4, the Court hereby **ORDERS** the parties to mediate this case in good faith within **ninety (90) days** of the entry of this Order. Within **seven (7) days** following the conclusion of mediation, the mediator **SHALL** file a report with the Court stating the outcome of the mediation, as contemplated by Local Rule 16.4(m). In light of the order of mediation, this action shall remain **STAYED** for an additional **ninety (90) days**. If the parties are unable to resolve this action pursuant to mediation, the Court will lift the stay after the mediator files his or her report stating the outcome of the mediation.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE